

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ENTERED

February 07, 2018

David J. Bradley, Clerk

ROBERT JOHN ANTHONY MARTINEZ,
Petitioner,

v.

LORIE DAVIS, Director, Texas Department
of Criminal Justice, Correctional Institutions
Division,
Respondent.

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Civil Action No. 1:17-cv-00091

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is Robert John Anthony Martinez' (hereafter "Petitioner") "Petition for a Writ of Habeas Corpus by a Person in State Custody" (Docket No. 1); Lorie Davis' (hereafter "Respondent") "Davis's Motion for Summary Judgment with Brief in Support" (Docket No. 16); and "Magistrate Judge's Report and Recommendation" (hereafter "R&R") (Docket No. 22). The R&R recommends dismissing Petitioner's "Petition for a Writ of Habeas Corpus by a Person in State Custody" (Docket No. 1). No objections have been filed. After a *de novo* review of the file, the R&R is **ADOPTED**.

It is therefore **ORDERED, ADJUDGED, and DECREED** that Petitioner's "Petition for a Writ of Habeas Corpus by a Person in State Custody" (Docket No. 1) is dismissed with prejudice. A certificate of appealability shall not issue. The Clerk of the Court is **ORDERED** to close this case.

Signed on this 7th day of February, 2018.



Rolando Olvera
United States District Judge